

EXHIBIT 4

ROUGH DRAFT

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4 TRANSCRIPT. It contains raw output from the court

5 reporter's stenotype machine translated into

6 English by the court reporter's computer, without

7 the benefit of proofreading. It will contain

8 untranslated steno outlines, mistranslations (wrong

9 words), and misspellings. These and any other

10 errors will be corrected in the final transcript.

11 Since this rough draft transcript has not been

12 proofread, the court reporter cannot assume

13 responsibility for any errors therein. This rough

14 draft transcript is intended to assist attorneys in

15 their case preparation and is not to be construed

16 as the final transcript. It is not to be read by

17 the witness or quoted in any pleading or for any

18 other purpose and may not be filed with any court.

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1 Q. As a member of the State Election Board do
2 you find it important to know that Georgia's
3 election system is not vulnerable to being hacked
4 by unauthorized third parties?

5 MS. LaROSS: I have the same objection as
6 the last question.

7 A. I'm not an IT expert. I cannot speak to
8 the technical components of the system, but I can
9 say that, yes, it's very important that it is
10 secure and, again, I believe that our current
11 system is holding up very well.

12 Q. As a member of the State Election Board
13 would you support the use of an election system
14 that could be hacked in a few minutes by a voter in
15 the voting booth?

16 MS. LaROSS: Object to the form of the
17 question with the same objections on the last two
18 questions.

19 A. Again, the answer -- the question seems to
20 suggest that I'm an IT person who would know the
21 technology side of the components of these
22 machines. Again, back to the previous question,

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1 I'll reiterate that secure and fair elections are
2 very important as a State Election Board member,
3 and those are issues, security would be absolute
4 paramount. So yes, it's an important thought that
5 I always hold in the forefront as I proceed in
6 anything I do when it comes to elections.

7 Q. Thank you.

8 I just want to focus on this question in
9 particular. I completely understand that you're
10 not an IT expert, but as a member of the State
11 Election Board which has a role in rules
12 promulgation for running Georgia elections, would
13 you support the use of an election system that
14 could be hacked in a few minutes by a voter in the
15 voting booth?

16 MS. LaROSS: Object to the form of the
17 question. It's the same objections I had to the
18 previous questions.

19 A. So the hypothetical is based on the fact
20 that there are provable evidence in front of me
21 that a certain system is not secure. If that's the
22 case, no. If there's provable evidence in front of

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1 me that points to -- that establishes that clearly,
2 then as a hypothetical I would not support
3 something like that.

4 Q. Thank you.

5 Are you familiar with BMD's?

6 A. I'm familiar from the standpoint of seeing
7 it and have used it as a voter.

8 Q. Do you know how they work?

9 A. As a voter, yes.

10 Q. Do you know what company manufactures the
11 BMD's?

12 A. I believe it's Dominion.

13 Q. Have you interacted at all with Dominion?

14 A. No.

15 Q. So as a member of the State Election Board
16 you have not communicated with Dominion in any way?

17 A. No.

18 Q. Have you inspected one of the BMD machines
19 before?

20 A. When I joined the board there was a
21 training session or a display, and I stepped into
22 one of them after one of the meetings -- hearings

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1 MS. WIESEBRON: Yeah. That would be
2 great. Thank you.

3 MS. LaROSS: Okay.

4 A. I'm sorry. Can you repeat the question?

5 Q. Sure.

6 Would you support the use of election
7 equipment that could be hacked in such a way that
8 both the QR codes and human readable text could be
9 altered?

10 MS. LaROSS: Objection as to form.

11 A. If you were to have evidence in front of
12 me or if I see evidence that it is, you know, not
13 secure, then no, I would not -- that's a
14 hypothetical and under the hypothetical question if
15 I had those facts in front of me, no.

16 Q. Okay.

17 Do you believe it is important to voters
18 to be able to verify that their ballots accurately
19 reflect their votes.

20 MS. LaROSS: Objection as to form.

21 A. Do I believe that it's important that
22 voters can verify; is that the question? I'm

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1 MS. WIESEBRON: Sure. No problem.

2 THE VIDEOGRAPHER: We're going off the
3 record. The time is 3:07 p.m.

4 (A short break was had.)

5 THE VIDEOGRAPHER: We're back on the
6 record. The time is 3:19 p.m.

7 BY MS. WIESEBRON:

8 Q. Are you aware that both parties in this
9 litigation have hired experts?

10 A. No, I'm not aware.

11 Q. Are you aware that Curling Plaintiffs
12 hired Dr. Alex Halderman as an expert?

13 A. No, I'm not.

14 Q. Are you aware that Dr. Halderman has
15 examined Georgia's voting equipment?

16 A. No, I'm not.

17 Q. Are you aware that he found Georgia's
18 voting equipment can be hacked in numerous ways?

19 MS. LaROSS: Objection as to form.

20 A. No, I'm not aware.

21 Q. Are you aware that he found that at least
22 one of those hacks can be implemented by a voter in

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1 the voting booth in a couple of minutes?

2 MS. LaROSS: Objection as to form.

3 A. No, I'm not aware.

4 Q. Are you aware that the election security

5 expert the State retained to respond to

6 Dr. Halderman's report testified under oath that he

7 does not dispute Dr. Halderman's findings that the

8 equipment can be hacked?

9 MS. LaROSS: Objection as to form.

10 A. I'm not aware.

11 Q. Are you aware that the election security

12 expert the State retained to respond to

13 Dr. Halderman's report testified to the following

14 under oath: "In fact, if I was asked a question we

15 need to have someone evaluate the security of it to

16 find vulnerabilities, at the top of my list would

17 be Andrea Powell and Dr. Halderman. That's where I

18 would start."

19 MS. LaROSS: Objection as to form.

20 A. I'm not aware.

21 Q. Are you aware that the State has admitted

22 that it has taken no measures to address the many

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1 findings Dr. Halderman found with Georgia's voting
2 equipment?

3 MS. LaROSS: Objection as to form.

4 A. I'm not aware.

5 Q. Does that affect your confidence in
6 Georgia's voting equipment?

7 MS. LaROSS: Objection as to form.

8 A. I think I need to know more about it. In
9 these questions format it's hard to say without
10 knowing the substantive and reviewing it and
11 understanding it as a deeper level.

12 Q. So just to summarize, does the fact that a
13 top security expert has been admitted to be a top
14 security expert by the State's own security expert
15 has found many vulnerabilities in Georgia's voting
16 system, including the fact that it can be hacked by
17 a voter in a voting booth in less than a few
18 minutes, does that affect your confidence in
19 Georgia's voting system?

20 MS. LaROSS: I be to the form of the
21 question.

22 A. I think in fairness if I could, you

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1 know -- if there were an opportunity to look at it,
2 study it, and understand it for myself how it was
3 all written and presented and tested, then I think
4 I would look at from those lens, but in a Q and A
5 format, you know, I don't know anything about it
6 like I mentioned. So it's hard to formulate an
7 opinion without knowing more.

8 Q. Understood.

9 Have you asked to see the expert's report
10 in this case?

11 MS. LaROSS: Objection as to form.

12 A. I didn't know about it to ask, no.

13 Q. Okay.

14 Are you aware that we, Curling Plaintiffs,
15 have asked the Secretary of State's office
16 attorneys to provide a proposal to allow the
17 Secretary of State and the State Election Board to
18 access some or all of Mr. Halderman's sealed
19 report?

20 MS. LaROSS: Objection as to form.

21 A. I'm not aware.

22 Q. Okay. But if the report was made

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1 accessible, you'd like to read it, right?

2 MS. LaROSS: Objection as to form.

3 A. If it were made available, I would read
4 it.

5 Q. After this deposition concludes, perhaps
6 not immediately after, but in the near future are
7 you going to ask to read Mr. Halderman's report?

8 MS. LaROSS: Objection as to form.

9 A. You mentioned a question or two ago that
10 it was sealed. And so I would allow the Secretary
11 of State's office the time it needs to do what it
12 needs to do, but if it's unsealed and made
13 available, I would read it.

14 Q. Okay. And would you express to the
15 Secretary of State your interest in reading it?

16 MS. LaROSS: Objection as to form.

17 A. I mentioned that if it's made available I
18 would read it.

19 Q. Are you concern at all sitting here today
20 that there's been a report made by a top security
21 expert about the vulnerabilities to Georgia's
22 voting equipment and you have not been made aware

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1 of the existence of this report?

2 MS. LaROSS: Objection as to form.

3 A. Let me rephrase my answer. I would like

4 to read it if it's made available. I'm only

5 knowing about it now and the fact that it's sealed

6 as you mentioned, if it were made available, I

7 would like to read it, yes.

8 Q. Okay.

9 I guess my question is a little bit

10 different. So I'm just try to rephrase it.

11 A. Okay.

12 Q. Sitting here today as a member of the

13 State Election Board, you know, who's been given

14 the responsibility to promulgate rules, regulations

15 about elections in Georgia, are you concerned about

16 the fact that there has been a report made that

17 discusses vulnerabilities to election -- to

18 Georgia's election system that if we had not been

19 sitting here today perhaps you would not even know

20 the existence of?

21 MS. LaROSS: Objection to the form of the

22 question.

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1 A. So I will mention again I would like to
2 read it.

3 Q. Okay.

4 So are you aware of audits being conducted
5 concerning Georgia's elections?

6 A. To the extent they're in the newspapers.

7 Q. In your role as a member of the State
8 Election Board do you have any role in deciding
9 whether election audits should take place?

10 A. No. We have not -- no.

11 Q. And are you -- as a member of the State
12 Election Board are audit results shared with you?

13 A. I've not had an audit result shared with
14 me as a State Election Board member. You know, the
15 audits are, as I mentioned, what I hear in the
16 papers.

17 Q. So do you not discuss election audits with
18 the Secretary of State?

19 MS. LaROSS: Objection as to form.

20 A. My discussions with elections have been on
21 record at these meetings.

22 Q. Okay. And do audits come up as a topic of

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1 A. The elections, the votes.

2 Q. I guess the difficulty here is that, you
3 know, as we discussed earlier, the paper receipts
4 have both a QR code and the human readable text,
5 correct?

6 A. Uh-huh. Yes.

7 Q. And the QR code reflects what the voter
8 voted as recorded by the machine, correct?

9 A. Yes.

10 Q. Okay. So my question is when you're
11 saying that, you know, they're counting and they're
12 comparing the numbers, what exactly are they --
13 which numbers are they comparing to? Are they
14 comparing the QR codes or are they comparing the
15 human readable text?

16 MS. LaROSS: Objection as to form.

17 A. Again, I've not been trained to handle an
18 audit through these machines. So I don't know the
19 technicalities, but it's my understanding that the
20 tallies of the votes are -- they run it through and
21 compare the counts against the process and they
22 count it again. And if the numbers match up, then

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1 that's a verification.

2 Q. Okay. I guess I'm just trying to
3 understand which numbers exactly we're talking
4 about.

5 A. Okay.

6 Q. You know, there's a lot of different
7 things that could be counted, right?

8 A. Uh-huh.

9 Q. So do you know whether the individual
10 paper ballots with human readable text are compared
11 to individual votes casted by using a machine?

12 MS. LaROSS: Objection as to form.

13 A. I've not gone through an audit. I don't
14 know the exact procedures of how that's all carried
15 out through these new machines.

16 Q. Okay. So has the State Election Board
17 discussed at all procedures or rules applying to
18 how audits should be conducted?

19 A. I don't recall a specific -- I believe we
20 discussed it and if we have it's on record, but in
21 terms of, you know, the actual pieces of paper to
22 the BMD's, I don't recall that specific. But it

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1 able to pick up on that? I believe that's more of
2 a technology question. I don't know I can answer
3 that question. I don't think -- I can't answer
4 that question because it would require some
5 technical knowledge of how the technology works to
6 pick up a tampering.

7 Q. Yeah. I guess do you know whether the
8 audits tabulate -- or recount one by one the votes
9 as casted in the machine compared to the human
10 readable text?

11 MS. LaROSS: Objection as to form.

12 A. I don't know the technology behind how the
13 machine does that.

14 Q. Okay. But you're not aware that for an
15 audit we verify one -- we compare the vote as
16 casted on the machine to the individual paper
17 receipt?

18 MS. LaROSS: Objection as to form.

19 A. Again, I don't know how the machine does
20 that technology wise.

21 Q. Okay. The purpose of an audit is to
22 verify that the votes have been accurately counted;

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1 those options are available. So, you know, if in
2 person is the preferred choice, then I think that's
3 important. If by mail is the choice, then that's
4 important.

5 Q. You mentioned -- you mentioned shopping.
6 Do you think that -- is there something special
7 about voting in person that might be different than
8 shopping in person?

9 A. I don't mean to trivialize it in any way
10 at all. I guess what I was trying to exercise is
11 especially in these times what makes a person
12 comfortable in exercising a person's right, in my
13 case I like to have the option, and for that reason
14 it's important.

15 Q. If you found out after an election that
16 your vote had not been counted, would that concern
17 you?

18 A. Yes.

19 Q. Why is that?

20 A. Because I voted.

21 Q. And so why would that concern you if your
22 vote had not been counted?

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1 MS. LaROSS: Objection as to form.

2 A. I don't know how to answer that question.

3 Because I voted and it didn't count.

4 Q. Right. I guess I'm just trying to --

5 trying to understand -- unpack why you find that

6 important. I apologize if it, you know, seems like

7 a self-evident question.

8 A. No, you don't have to apologize. I'm

9 trying to answer. I apologize if it doesn't sound

10 like I'm trying to answer, but I just don't know

11 how to answer any other way. I voted and I expect

12 it to count. So I'm not quite sure that we're

13 probably -- you asked me would it concern you, and

14 that's the reason why I'm concerned. I voted and

15 it's not there.

16 Q. Is it perhaps because it's important to

17 you that your vote is properly counted as part of

18 being in a democracy?

19 MS. LaROSS: Objection as to form.

20 A. Yes.

21 Q. Okay.

22 And what if your vote had been counted for

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1 how would you want to be assured of that?

2 A. I guess from my perspective I want to

3 understand the technology end of it, how that

4 works, right. So if I can understand how memory

5 cards work as it relates to the old machine and how

6 it works as relates to the new machine and what

7 does it really contain and how does it get picked

8 up and read, I think just understanding the

9 technology of it would help me understand how this

10 works and if it were to be cleaned or sanitized for

11 new elections and how that would work, right. So

12 I'd just want to understand the mechanics of it and

13 the technology end of it.

14 Q. Has anyone with technical expertise

15 provided a presentation to you and other State

16 Election Board members about how some of these

17 technological components of Georgia's current

18 election system works?

19 A. No. We're not IT people. So --

20 Q. But you make rules that involve IT, right?

21 A. I guess the BMD's are IT. So yes, but --

22 Q. Sorry. Go ahead.

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1 A. Oh, no. Yeah, we make rules affecting the
2 processes that involve technology, but I don't have
3 the in depth understanding the way an IT person
4 would of any person or technology. I'm not an IT
5 person.

6 Q. So if we look at actually the next page,
7 page 3.

8 A. Uh-huh.

9 Q. There's a proposed rule in the middle of
10 page, 183-1-12.08, called "Logic and accuracy
11 testing."

12 A. Uh-huh.

13 Q. Do you see that?

14 A. Oh, yeah. Uh-huh. I see it listed there.

15 Q. Do you recall what that rule was about?

16 A. May I know what logic and accuracy testing
17 is I would have to ask you to pull the minutes up
18 for me to look at it, but yes, I know what logic
19 and accuracy testing is generally.

20 Q. Unfortunately, these are all the details
21 we have available, you know, publicly.

22 A. Okay.